

FLOOD DAMAGE REDUCTION PROGRAM

January 22, 2009

PROGRAM DESCRIPTION AND PURPOSE

The new proposed DNRC state program is to provide technical and financial assistance to local government units for reducing the extent of flood damages. Under this program the state would make cost-share grants for up to 50% of the total local cost of flood mitigation projects.

The flood damage reduction grant assistance program is designed to mitigate damages due to flooding in rural and urban floodplain areas. The state program is intended to make grants to local government to conduct studies to determine the most feasible, practical, and effective methods and programs for mitigating the damages due to flooding within flood prone areas. Some eligible project examples are:

- Structural acquisition in the 100-year floodplain
- Levees, Ring Dikes, Flood Walls
- Flood warning systems
- Flood Insurance Studies
- Floodplain ordinance changes
- Floodplain mapping
- Flood storage easements
- Floodplain/river restorations
- Cost-share on federal projects

One approach would be have two different classes of grants available. Small grants are for projects with a total cost of less than or equal to \$300,000 (state share less than \$150,000). Small grants are made directly by the DNRC from funds appropriated by the legislature. Large grants are for projects with a total cost greater than \$300,000 (state share greater than \$ 150,000). Large grant applications are received and prioritized by the DNRC and then presented to the Governor and the legislature for consideration in a capital bonding bill.

In addition to partnering directly with local units of government, grants can be used to leverage financial and technical assistance from other agencies. DNRC and local units of government have partnered with the U.S. Army Corps of Engineers on federal flood control projects as well as projects in the Federal Section 14, 22 and 205 programs. Grant funds could also be used to leverage acquisition and hazard mitigation funding from the Federal Emergency Management Agency through the State Division of Emergency Management following a disaster.

Ongoing or recent feasibility level flood mitigation studies by the Corps of Engineers for Livingston, Miles City and Glendive have identified flood mitigation projects totaling \$27.5 million to avert flood damages of \$71 million. Federal

funding of up to 65% matching funds is available for qualifying projects thru the CORPS flood mitigation programs.

Similar Grant Programs

The states of Wisconsin and Minnesota have similar state programs for floodplain damage mitigation. Funding could be from general fund or coal and oil and gas excise taxes. Minnesota funds the projects thru legislative authorized capital improvement bonds. Since the inception of the Minnesota program, almost \$61 million in state grant monies have been distributed to local units of government across Minnesota for flood damage reduction projects. Flood damage mitigation projects in Minnesota have averted over one-half billion dollars in damages. The overall cost benefit in Minnesota is about 8 to 1. The nationwide ratio for flood damages to mitigation for FEMA qualifying mitigation projects is approximately 3 to 1, that is for each dollar spent in flood mitigation is 3 dollars not spent on flood damages.

PROGRAM BUDGET

Annual Program administration:

Personnel -2 FTE's	\$143,000
Operation expenses	\$30,000
Office equipment	<u>\$3,000</u>
	\$173,000

Small Grants:

\$1 million per year.

Large Grants :

For projects in Miles City, Livingston and Glendive and a 50/50 state and local government cost share of a 35% local cost share for a CORPS flood mitigation project--\$5 million either as an initial capital fund or a biannual allocation based on the anticipated design, development and construction costs to be incurred.



Myths and Facts about the National Flood Insurance Program

Who needs flood insurance? Everyone. And everyone in a participating community of the National Flood Insurance Program (NFIP) can buy flood insurance. Nationwide, almost 20,000 communities have joined the Program. In some instances, people have been told that they cannot buy flood insurance because of where they live. To clear up this and other misconceptions about National Flood Insurance, the NFIP has compiled the following list of common myths about the Program, and the real facts behind them, to give you the full story about this valuable protection.

1. **Myth:** *You can't buy flood insurance if you are located in a high-flood-risk area.*

Fact: You can buy National Flood Insurance no matter where you live if your community participates in the NFIP, except in Coastal Barrier Resources System (CBRS) areas. The Program was created in 1968 to provide flood insurance to people who live in areas with the greatest risk of flooding, called Special Flood Hazard Areas (SFHAs). In fact, under the National Flood Insurance Act, lenders must require borrowers whose property is located within an SFHA to purchase flood insurance as a condition of receiving a federally regulated mortgage loan. There is an exemption for conventional loans on properties within CBRS areas.

Lenders should notify borrowers that their property is located in an SFHA and National Flood Insurance is required.

2. **Myth:** *You can't buy flood insurance immediately before or during a flood.*

Fact: You can purchase flood coverage at any time. There is a 30-day waiting period after you've applied and paid the premium before the policy is effective, with the following exceptions: 1) If the initial purchase of flood insurance is in connection with the making, increasing, extending or renewing of a loan, there is no waiting period. The coverage becomes effective at the time of the loan, provided application and payment of premium is made at or prior to loan closing. 2) If the initial purchase of flood insurance is made during the 13-month period following the effective date of a revised flood map for a community, there is a one-day waiting period. This only applies where the Flood Insurance Rate Map (FIRM) is revised to show the building to be in an SFHA when it had not been in an SFHA.

The policy does not cover a "loss in progress," defined by the NFIP as a loss occurring as of 12:01 a.m. on the first day of the policy term. In addition, you cannot increase the amount of insurance coverage you have during a loss in progress.

3. **Myth:** *Homeowners insurance policies cover flooding.*

Fact: Unfortunately, many homeowners do not find out until it is too late that their homeowners policies do not cover flooding. National Flood Insurance protects your most valuable assets—your home and belongings.

4. **Myth:** *Flood insurance is only available for homeowners.*

Fact: Flood insurance is available to protect homes, condominiums, apartments and nonresidential buildings, including commercial structures. A maximum of \$250,000 of building coverage is available for single-family residential buildings; \$250,000 per unit for residential condominiums. The limit for contents coverage on all residential buildings is \$100,000, which is also available to renters.

Commercial structures can be insured to a limit of \$500,000 for the building and \$500,000 for the contents.

5. **Myth:** *You can't buy flood insurance if your property has been flooded.*

Fact: You are still eligible to purchase flood insurance after your home, apartment or business has been flooded, provided that your community is participating in the NFIP.

6. **Myth:** *Only residents of high-flood-risk zones need to insure their property.*

Fact: Even if you live in an area that is not flood-prone, it's advisable to have flood insurance. Between 20 percent and 25 percent of the NFIP's claims come from outside high-flood-risk areas. The NFIP's Preferred Risk Policy, available for just over \$100 per year, is designed for residential properties located in low- to moderate-flood-risk zones.

7. **Myth:** *National Flood Insurance can only be purchased through the NFIP directly.*

Fact: NFIP flood insurance is sold through private insurance companies and agents, and is backed by the Federal government.

8. **Myth:** The NFIP does not offer any type of basement coverage.

Fact: Yes it does. The NFIP defines a basement as any area of a building with a floor that is below ground level on all sides. While flood insurance does not cover basement improvements, such as finished walls, floors or ceilings, or personal belongings that may be kept in a basement, such as furniture and other contents, it does cover structural elements, essential equipment and other basic items normally located in a basement. Many of these items are covered under building coverage, and some are covered under contents coverage. The NFIP encourages people to purchase both building and contents coverage for the broadest protection.

The following items are covered under building coverage, as long as they are connected to a power source and installed in their functioning location:

- Sump pumps
- Well water tanks and pumps, cisterns and the water in them
- Oil tanks and the oil in them, natural gas tanks and the gas in them
- Pumps and/or tanks used in conjunction with solar energy
- Furnaces, hot water heater, air conditioners and heat pumps
- Electrical junction and circuit breaker boxes and required utility connections
- Foundation elements
- Stairways, staircases, elevators and dumbwaiters.
- Unpainted drywalls and ceilings, including fiberglass insulation
- Cleanup

The following items are covered under contents coverage:

- Clothes washers
- Clothes dryers
- Food freezers and the food in them

9. **Myth:** Federal disaster assistance will pay for flood damage.

Fact: Before a community is eligible for disaster assistance, it must be declared a federal disaster area. Federal disaster assistance declarations are issued in less than 50 percent of flooding incidents. The premium for an NFIP policy, averaging about \$400 a year, is less expensive than interest on federal disaster loans.

Furthermore, if you are uninsured and receive federal disaster assistance after a flood, you must purchase flood insurance to remain eligible for future disaster relief.

10. **Myth:** The NFIP encourages coastal development.

Fact: One of the NFIP's primary objectives is to guide development away from high-flood-risk areas. NFIP regulations minimize the impact of structures that are built in SFHAs by requiring them not to cause obstructions to the natural flow of floodwaters. Also, as a condition of community participation in the NFIP, those structures built within SFHAs must adhere to strict floodplain management regulations.

In addition, the Coastal Barrier Resources Act (CBRA) of 1982 relies on the NFIP to discourage building in fragile coastal areas by prohibiting the sale of flood insurance in designated CBRA areas. While the NFIP does not prohibit property owners from building along coastal areas, any Federal financial assistance, including federally backed flood insurance, is prohibited. However, CBRA does not prohibit privately financed development or insurance.

11. **Myth:** The NFIP does not cover flooding resulting from hurricanes or the overflow of rivers or tidal waters.

Fact: The NFIP defines covered flooding as a general and temporary condition during which the surface of normally dry land is partially or completely inundated. Two properties in the area or two or more acres must be affected. Flooding can be caused by:

- The overflow of inland or tidal waters, or
- The unusual and rapid accumulation or runoff of surface waters from any source, such as heavy rainfall, or
- Mudslides, i.e., mudflows, caused by flooding, that could be described as a river of liquid and flowing mud and
- The collapse or destabilization of land along the shore of a lake or other body of water, resulting from erosion or the effect of waves, or water currents exceeding normal, cyclical levels.

12. **Myth:** Wind-driven rain is considered flooding.

Fact: No, it isn't. Rain entering through wind-damaged windows, doors or a hole in a wall or the roof, resulting in standing water or puddles, is considered windstorm—rather than flood—damage. National Flood Insurance only covers damage caused by the general condition of flooding (defined above), typically caused by storm surge, wave wash, tidal waves, or the overflow of any body of water over normally dry land areas. Buildings that sustain this type of damage usually have a watermark, showing how high the water rose before it subsided. Although the Standard Flood Insurance Policy (SFIP) specifically excludes wind and hail damage, most homeowners policies provide such coverage.



For more information about the NFIP, ask your insurance agent or company, or call the NFIP's toll-free number at 1-888-CALL-FLOOD, ext. 304 • TDD# 1-800-427-5593 or visit FEMA's web site at: <http://www.fema.gov>

- Furnaces, water heaters, air conditioners, and heat pumps
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The NFIP recommends both building and contents coverage for the broadest protection.

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MYTH: Federal disaster assistance will pay for flood damage.

FACT: Before a community is eligible for disaster assistance, it must be declared a federal disaster area. Federal disaster assistance declarations are issued in less than 50 percent of flooding events. The premium for an NFIP policy, averaging a little over \$400 a year, can be less expensive than the monthly payments on a federal disaster loan.

Furthermore, if you are uninsured and receive federal disaster assistance after a flood, you must purchase flood insurance to remain eligible for future disaster relief.

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FACT: The NFIP defines covered flooding as a general and temporary condition during which the surface of normally dry land is partially or completely inundated. Two properties in the area or two or more acres must be affected. Flooding can be caused by:

- Overflow of inland or tidal waters, or
- Unusual and rapid accumulation or runoff of surface waters from any source, such as heavy rainfall, or
- Mudflow, i.e., a river of liquid and flowing mud on the surfaces of normally dry land areas, or
- Collapse or subsidence of land along the shore of a lake or other body of water, resulting from erosion or the effect of waves, or water currents exceeding normal, cyclical levels.

For more information about the NFIP and flood insurance, call 1-800-427-4661, or contact your insurance company or agent.

For an agent referral, call 1-888-435-6637 • TDD 1-800-427-5593

<http://www.fema.gov/business/nfip> • <http://www.floodsmart.gov>

F-002 (03/07)

National Flood Insurance Program

Myths and Facts about the National Flood Insurance Program



FEMA

Who needs flood insurance? Everyone!

And almost everyone in a participating community of the National Flood Insurance Program (NFIP) can buy flood insurance. Nationwide, more than 20,000 communities have joined the Program. In some instances, people have been told that they cannot buy flood insurance because of where they live. To clear up this and other misconceptions about National Flood Insurance, the NFIP has compiled a list of common myths about the Program, and the real facts behind them, to give you the full story about this valuable protection.

MYTH: You can't buy flood insurance if you are located in a high-flood-risk area.

FACT: You can buy National Flood Insurance no matter where you live if your community participates in the NFIP, except in Coastal Barrier Resources System (CBRS) areas. The Program was created in 1968 to make federally backed flood insurance available to property owners who live in eligible communities. Flood insurance was then virtually unavailable from the private insurance industry. The Flood Disaster Protection Act of 1973, as amended, requires federally regulated lending institutions to make sure that mortgage loans secured by buildings in high-flood-risk areas are protected by flood insurance.

Lenders should notify borrowers, prior to closing, that their property is located in a high-flood-risk area and that National Flood Insurance is required.

MYTH: You can't buy flood insurance immediately before or during a flood.

FACT: You can purchase National Flood Insurance at any time. There is usually a 30-day waiting period after premium payment before the policy is effective, with the following exceptions:

1. If the initial purchase of flood insurance is in connection with the making, increasing, extending, or renewing of a loan, there is no waiting period. Coverage becomes effective at the time of the loan, provided application and payment of premium is made at or prior to loan closing.
2. If the initial purchase of flood insurance is made during the 13-month period following the effective date of a revised flood map for a community, there is a 1-day waiting period. This applies only where the Flood Insurance Rate Map (FIRM) is revised to show the building to be in a Special Flood Hazard Area (SFHA) when it had not been in an SFHA. The policy does not cover a "loss in progress," defined by the NFIP as a loss occurring as of 12:01 a.m. on the first day of the policy term. In addition, you cannot increase the amount of insurance coverage you have during a loss in progress.

MYTH: Homeowners insurance policies cover flooding.

FACT: Unfortunately, many home and business owners do not find out until it is too late that their homeowners and business multiperil policies do not cover flooding. The NFIP offers a separate policy that protects the single most important financial asset, which for most people is their home or business. Homeowners can include contents coverage in their NFIP policy. Residential and commercial renters can purchase contents coverage. Business owners can purchase flood insurance coverage for their buildings and contents/inventory and, by doing so, protect their livelihood.

MYTH: Flood insurance is only available for homeowners.

FACT: Most people who live in NFIP participating communities, including renters and condo unit owners, are eligible to purchase federally backed flood insurance. A maximum of \$250,000 of building coverage is available for single-family residential buildings; \$250,000 per unit for residential condominiums. The limit for contents coverage on all residential buildings is \$100,000, which is also available to renters.

Commercial structures can be insured to a limit of \$500,000 for the building and \$500,000 for the contents. The maximum insurance limit may not exceed the insurable value of the property.

MYTH: You can't buy flood insurance if your property has been flooded.

FACT: You are still eligible to purchase flood insurance after your home, apartment, or business has been flooded, provided that your community is participating in the NFIP.

MYTH: Only residents of high-flood-risk areas need to insure their property.

FACT: All areas are susceptible to flooding, although to varying degrees. If you live in a low-to-moderate flood risk area, it is advisable to have flood insurance. Between 20 and 25 percent of the NFIP's claims come from outside high-flood-risk areas. Residential and commercial property owners located in low-to-moderate risk areas should ask their agents if they are eligible for the Preferred Risk Policy, which provides very inexpensive flood insurance protection.

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FACT: Yes it does. The NFIP defines a basement as any area of a building with a floor that is below ground level on all sides. While flood insurance does not cover basement improvements (such as finished walls, floors, or ceilings), or personal belongings kept in a basement (such as furniture and other contents), it does cover structural elements and essential equipment.

The following items are covered under building coverage, as long as they are connected to a power source, if required, and installed in their functioning location:

- Sump pumps
- Well water tanks and pumps, cisterns, and the water in them
- Oil tanks and the oil in them, natural gas tanks and the gas in them
- Pumps and/or tanks used in conjunction with solar energy



FEMA

HIGHGROUND

September 2008

This newsletter and other state floodplain management activities are funded in part through grants from FEMA.

State of Montana

Map Modernization Program Update

Greetings readers! There is a lot of activity taking place with the Map Modernization program at this time. The program website www.montanadfirm.com is in the process of being improved and updated; look for changes in September. Furthermore, the State of Montana is working diligently with FEMA, the State's sub-contractor PBS&J, and local communities to complete the

preliminary DFIRM is released, I have created a handout titled "Quick Reference: FEMA and the State of Montana DFIRM Adoption Procedures." This handout and FEMA's adoption guide: "Adoption of Flood Insurance Rate Maps by Participating Communities" (FEMA Pub. 495, September 2005), will be available online in late September when the Montana Map

Jurisdiction	Estimated Preliminary DFIRM Release Date	Estimated Effective Date for DFIRM & Associated Flood Report
Lewis and Clark County	September 2008	October 2009
Custer County	September 2008	November 2009
Missoula County	October 2008	December 2009
Gallatin County	October 2008	December 2009
Fergus County	February 2009 2008	April 2010
Yellowstone County	April 2009	June 2010
Cascade County	June 2009	August 2010
Park County	To Be Determined*	To Be Determined*
Carbon County	To Be Determined*	To Be Determined*

*The schedules for these projects are in the process of being revised.

DIGITAL FLOOD INSURANCE RATE MAP
existing DFIRM conversion projects. The table above shows the estimated preliminary (draft) DFIRM release dates and estimated DFIRM effective dates for the communities that have ongoing DFIRM projects at this time (these dates are subject to change, communities will be made aware if dates require adjustment).

The preliminary DFIRM release dates are fast approaching for a number of communities. In anticipation of questions from communities, regarding what happens after a

Modernization Program website update is complete. Electronic or hard copies can currently be obtained by contacting me at (406) 444-6656 or cadair@mt.gov or by contacting Mary Guokas, Map Modernization Outreach Specialist at (406) 444-1343 or mguokas@mt.gov.

One final note: a number of communities went through the scoping process for potential Map Modernization DFIRM conversion projects in this past year. Scoping reports were compiled for each of

continued...

Sun River – photo by Mark Boesch

continued from Map Modernization Program Update



Celinda Adair, Map Modernization Program Manager

these communities and submitted to FEMA. In September, I will be sending out electronic copies of these scoping reports to the appropriate communities. Funds for new projects were somewhat limited this year and not all of the potential DFIRM conversion projects previously scoped will receive funding during the upcoming Federal Fiscal Year (FFY) October, 2008-September 2009. FEMA will finalize project funding decisions by the end of September. Communities will be contacted regarding funding information when final awards have been made. The State of Montana is committed to working with communities to map and

identify flood hazards. I would like to commend the many independent efforts being undertaken by communities to apply for grants and/or directly fund new mapping activities.

Please feel free to contact me regarding any of the topics mentioned here or any other issues relating to the Map Modernization Program for the State of Montana or flood hazard mapping activities.

Thank you,

Celinda Adair, Map Modernization Program Manager
State of Montana DNRC

FEMA Grants: Apply Now to December 1st

From an edited June 19th email sent by Kent Atwood.

With a certain amount of pleasant surprise I'd like to call your attention to the following link:
<http://www.fema.gov/library/viewRecord.do?id=3309> I suggest you download it to your hard drive.

This is the 2009 grant guidance for FEMA's Pre-Disaster Mitigation (PDMC), Flood Mitigation Assistance (FMA), Repetitive Flood Claims (RFC) and Severe Repetitive Loss (SRL) grant programs all rolled into one. There is a large amount of information but don't be intimidated by the size. You should review sections 1 through 3.3 and ignore section 3.4; Montana has no Severe Repetitive Loss properties.

THE GRANT APPLICATION WINDOW IS OPEN NOW, the release date was June 19, 2008. Any pre-award expenses you may incur that are not federally funded in some other way should be documented and used toward your local match as required.

The application period is June 19, 2008 to December 19, 2008. **All PDMC applications will need to be delivered to me as e-grants**

in a smooth finished form by close of business on 1 December 2008 (State Deadline) so I have time to screen them, ensure all your attachments will upload into e-Grants, QA them, rank them via an objective board and have FEMA Region VIII look them over informally to provide suggestions on how to improve them as well as to increase their chances of selection. I hope to see them sooner and more frequently so I may aid you in the application construction and content.

Many local PDM Plans are approaching their five year expiration date. I encourage you to begin a planning grant application to get at least 75% funding to update your plan. I encourage you to talk to your neighbors. Consider partnering with two or three counties/tribal nations in one PDM Plan Update application. Each of you will get your own unique and individual jurisdictional tailored plan, but economies of scale are better with two or three in one PDM Planning Grant application. I have also communicated with more than half a dozen jurisdictions and a tribal nation or two interested in submitting PDM project applications. After

continued...



continued from FEMA Grants

Welcome Jordan, Montana to the NFIP

Patience and perseverance by the Town of Jordan in completing requirements to join the National Flood Insurance Program (NFIP), now make it possible for the community to receive NFIP participation benefits. Montana now has 130 participating communities in the NFIP.

many years of complaints to FEMA, they finally listened to us. The grant application window opens early and remains open for six months. We are not crammed into 90 days at the end of the year, over the holiday season. I urge you to start now and work on it even 20-30 minutes a week. I will be available to help you and with a bit of scheduling luck, I will gladly come to your office at your request to enroll you in FEMA e-Grants and give you a crash course in these grant programs to get you started.

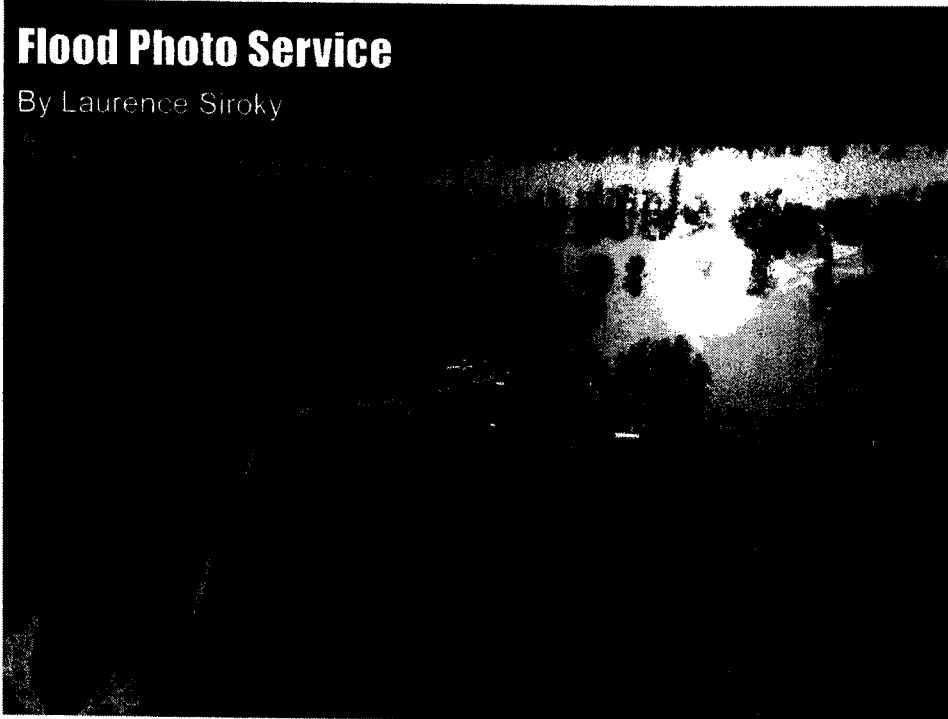
Please call me with any questions. My primary function as the State Hazard Mitigation Officer is to help you through this process in order to get you the grant to get a PDM Plan (or Updated Plan) or to get the 75% Federal grant funding to mitigate the natural hazards in your jurisdiction.

Sincerely,

Kent Atwood, CFM
Hazard Mitigation Officer
State of Montana
406-841-3960

Flood Photo Service

By Laurence Siroky



Aerial photo of Bitterroot River in Missoula County May 20, 2008.



Laurence Siroky, ready to ride and shoot photos. Other passengers not shown, Laura Hendrix and Larry Schock.

View more photos through a link on our website:

<http://mtfloodplain.mt.gov/>

Informative photographs were taken this spring of the flooding along the Bitterroot River from Missoula to above Darby, as well as the East Gallatin north of Bozeman. Floodplain administrators of Ravalli and Gallatin Counties found the photos to be useful records in administering their floodplain programs. These photos aid in floodplain permitting and in assessing floodplain maps for Montana DNRC or FEMA.

If sufficient funds and resources are available, the Montana DNRC will continue to capture aerial photographs: either through snap shots or linear aerial photography, documenting significant flood events. A call or request from a local floodplain administrator to Traci Sears will initiate the Montana DNRC effort.

Photos taken on May 20, 2008 on the Bitterroot River and East Gallatin River on May 25, 2008, are available on our web site: <http://mtfloodplain.mt.gov/>

Public Outreach By Mary Guokas



Panel Discussion from River Awareness Summit in Miles City, April 29th. From left to right: Greg Johnson, US Army Corps of Engineers; Mayor Joe Whalen, Don Youngbauer, Yellowstone River Conservation District Council; Laurence Siroky, Montana DNRC; Shandi Teltschik, FEMA Region VIII.

A big thank you is owed to many individuals, agencies and organizations in this big state. From Missoula to Dodson, the importance of flood hazards, and floodplain management has been communicated to Montanans. Here is a sampling of public outreach efforts from around the state.

mt.gov or scraddock@milescity-mt.org. Informing the public about flood risks and an "in-progress" Digital Flood Insurance Rate Map has been a high priority for Miles City. An extensive multi-agency River Awareness Summit was held at the end of April. A huge thank you is extended to Miles Community College for their generosity in the use of their facilities. Also, the floodplain management program was represented for the second year in a row at the Eastern Montana Fair.

Western Montana

The 100th Anniversary of the Clark Fork flood was initiated by **Missoula** County Floodplain Administrator, Todd Kietz. The Clark Fork's Watershed Education Program, Public Education and Communications Coordinator, Justin Ringsak, coordinated this multi-agency event held at the Clark Fork River Farmers Market. A floodplain management booth at the Western Montana Fair was made possible with support from the Association of Montana's Floodplain Managers (AMFM). Booth "setter-uppers" and staffers included: Todd Kietz, Floodplain Administrator for Missoula County and the City of Missoula; Larry Schock, Montana DNRC

On the Hi-Line

Marvin Cross, Montana DNRC Regional Engineer for the Havre Regional Office, arranged for the DNRC 3-panel traveling display to be at the following fairs: **Phillips County Fair in Dodson**, the **Havre-Hill County Fair**, and the **Blaine County Fair in Chinook**. Fortunately, Bob Larson, Regional Manager of the same office, was able to follow up on the fair participation. Marvin's health prohibited his involvement. (Keep on the road to recovery, Marvin!)

Eastern Montana

The Mayor of **Miles City**, Joe Whalen, along with his active and energetic staff, including Steve Craddock and John Marks, have been educating the public in the Miles City area through many mediums, including regular newspaper articles. Request electronic versions of these "Letters to the Editor" by emailing mguokas@



Miles Community College served as an excellent facility and had room to accommodate a large audience.

continued...

continued from Public Outreach

Regional Engineer; Laura Hendrix, Chair of the Association of AMFM; and Mary Guokas, Montana DNRC.

Participation of many agencies made Flood Awareness Day in **Livingston** a success. The City of Livingston sponsored the Civic Center. Piggy-backing on The Cooperation for the Northern Rockies, Farmers Market was a real asset. The list of supporters and agency participation is unfortunately too long for this article.

Representatives from a variety of agencies made the **Lewis and Clark County** Flood Awareness Day for 6th graders at East Valley Middle School a success. The event got a good start "out of the shoot" with an

energetic teacher and a coordinated planning team, lead by Chris Evans of the Lewis and Clark Conservation District.

For the 3rd year in a row, the Flathead County Planning & Zoning Office has hosted the Community Land Use Booth at the Northwestern Montana Fair in Kalispell. Representatives from the Cities of Kalispell and Whitefish also assisted in the booth throughout the fair. The booth was appropriately located next to the Flathead Conservation District and provided the entire community with an opportunity to discuss land use issues, including floodplains, with community planners and floodplain administrators.



Todd Kletz, Floodplain Administrator for the City of Missoula and Missoula County, shows historic photos.

Joint Application Form Revised

The "Joint Application for Proposed Work in Streams, Lakes and Wetlands in Montana", commonly referred to as the "Joint Application" has been revised. Montana can be proud of the way agencies work together to produce a form and

instructions which saves citizens in the duplication of application information. Be up-to-date and use this revision. Here's the link: http://www.dnrc.mt.gov/permits/streampermitting/joint_application.asp

Free Streamside Help Presentations Offered to Communities

Submitted by Mary Vandembosch and Jeff Erickson

With residential development requests on the increase in Montana, a state task force is offering local officials, planning boards and others a chance to learn how streamside planning can help to conserve local values, protect private property, guard builders and local governments against lawsuits, and boost economies.

The presentation, sponsored by the Governor's Task Force for Riparian Protection, is aimed at helping local governments and businesses better understand the role and function of natural areas and floodplains. It also addresses legal responsibilities as communities attempt to balance development opportunities with

efforts to maintain the Montana lifestyle.

To schedule a presentation, call Mary Vandembosch or Jeff Erickson, Headwaters Policy and Planning Partnership at 406-449-3229, or email headwaters@q.com. Presentations will be available until the end of December, possibly longer. Act soon.

The Governor's Task Force for Riparian Protection is an interagency group convened to provide information about responsible development along Montana's riparian corridors. For more information, visit <http://water.montana.edu/setback>.

New Billings Office Regional Engineer

Welcome Sam Johnson! Sam comes to the DNRC with over ten years engineering experience. He's worked for a variety of engineering firms. No need to tell him what LOMA (Letter of Map Amendment) stands for. He has completed LOMAs for former clients.

Answer: stay tuned, an answer may be available in a year. A flood map stream database is

[illegible]

Areas with Approximate Hydrologic Studies

Areas with Detailed Hydrologic Studies

Map of mapped floodplains to date. Map completion expected in September 2009.

being produced by digitizing all the streams in Montana that have either an approximate or a detailed hydrologic study. The database will be in a shape file that can be used in ArcGIS. The shapefile can produce a visual representation of all the streams that have been studied. An ability to access the attributes for any stream will be possible. This state-wide data will help in identifying mapping needs and communicating information to state decision-makers. Chad Hill is championing this project from Helena. He's actually busy with dam safety projects, but 10% of his time is devoted to this special project. Chad is from Ogden Utah. He has a B.A. in Civil Engineering from Carroll College. After college Chad joined the Army as a Geospatial Analyst creating maps and terrain studies, using ArcGIS, for Commanders on the ground and pilots in the sky. He spent 12 months in Afghanistan and 15 months in Iraq. Back in the "states" he is enjoying running, biking, and kayaking. Fortunately, his wife shares interest in these pursuits.

FEMA's Mapping Service Center website allows easy access to find LOMCs for your community. Visit <http://msc.fema.gov> and follow directions under "More Information." "How do I Find a LOMC".


Traci Sears-Tull has been offering “unofficial” floodplain 101 training during her visits to communities.

Announcements for free upcoming floodplain 101 training classes will be sent via email.

October 13-16, 2008	Advanced Floodplain Management Concepts (E282)
October 20-23, 2008	Managing the Flood Dev. Through NFIP Training the Trainer
November 3-6, 2008	Advanced Floodplain Management Concepts (E194)
December 15-18, 2008	EMI: Managing Floodplain Development Through the NFIP
February 2-5, 2009	Advanced Floodplain Management Concepts (E282)

The above national classes are offered at Emmitsburg, Maryland by FEMA. Airfare and tuition is paid by FEMA. For more information visit: <http://training.fema.gov/EMICourses/>

AMFM Conference Date Set



ASSOCIATION OF
Montana
**FLOODPLAIN
MANAGERS**

March 3-5th, 2009. Mark your calendars! The Association of Montana's Floodplain Managers (AMFM) annual conference will be held in Great Falls this year.

Village Opted Out of Flood Insurance Plan

By Erin Richards
erichards@journalsentinel.com
Posted: June 11, 2008

Dispute with FEMA led Lake Delton to refuse federally backed coverage

Lake Delton - Residents and landowners affected by the Lake Delton breach spent Wednesday seeking an explanation for why the community opted out of a free national flood insurance program that 90% of the state's flood-prone communities have joined.

Anguish over the lack of insurance surfaced as members of the Federal Emergency Management Agency prepared to survey the damage in Sauk County and several other Wisconsin counties today.

The Village of Lake Delton began the paperwork just two weeks ago to rejoin the flood insurance program after a dispute with FEMA's floodplain elevation maps from 2001 caused it to back out. But because of that decision, residents such as Tim Fromm, Tom Pekar and Don Kubenik were not able to obtain flood insurance - which is backed by the federal government - for the homes they built on the shore of Lake Delton within the last few years.

Fromm's house worth more than \$1 million is gone, and Pekar and Kubenik lost substantial parts of their houses valued at close to or over \$1 million. Two other houses owned by the Wisconsin Land Co. also are gone; the company couldn't be reached.

"(The village) pretty much assured us that nothing would happen because of the dam," said Pekar, as he and his wife, Tina, salvaged the contents of their garage Wednesday. The back half of their house continued to dangle precariously over a newly scraped-out cliff. Fluffy white ceiling insulation blanketed the garage and driveway like a summer snow.

"Our insurance agent up here said we didn't need flood insurance as long as we built above the floodplain," Pekar said as he dumped out more

white fuzz from inside a green Wellington boot.

According to FEMA's maps from 2001, the homes and property that yielded to the lake water Monday were in the floodplain, said Bob Watson, a floodplain engineer with the Wisconsin Department of Natural Resources. Watson added that out of 500 communities that have been designated as prone to flooding in Wisconsin, about 450 of them have opted into the National Flood Insurance Program.

But Lake Delton Village Engineer John Langhans said the village didn't enroll with the program because FEMA's new maps in 2001 had "gross inaccuracies" when it came to the designated floodplain level.

The village had its engineering firm in 2002 establish what it believed to be the true 100-year flood elevation level - 833.93 feet above sea level - and then submitted that study to the DNR for approval.

The situation remained more or less unresolved until last year, when FEMA announced it would design new flood maps based on more accurate digital data from aerial photos and contour lines.

Lake Delton asked that its lake be mapped again as well with the more accurate surveying techniques, which the DNR and FEMA agreed to do as long as the village joined the flood insurance program, Watson said.

Whether that's what prompted Lake Delton to start the process of re-applying for the insurance program a few weeks ago is unclear, as Village President Frank Kaminski has refused to answer any questions about the village's involvement - or lack of involvement - in the issue.

"You're probably going to start seeing

continued...

Where is Traci Sears?

The NFIP Coordinator for the state has been doing her job and visiting a near countless number of communities. She'll be catching her breathe and compiling her contribution for the next edition of Highground.

Article Addresses Legal Challenges in Floodplain Management

The Vermont Journal of Environmental Law has published an article by Edward A. Thomas and Sam Riley Dedlock entitled "Mitigating Misery: Land Use and Protection of Property Rights before the Next Big Flood". This article may be of special interest to those who attended the "No Adverse Impact" Conference held last March in Montana. Edward A. Thomas, Esq. was the keynote speaker. Access the article here: <http://www.vjel.org/journal/VJEL10063.html>

continued from Village Opted Out of Flood Insurance Plan

Best wishes for Mike Knutson and Dave Adair

Mike Knutson, the former State Floodplain Engineer, nabbed a dream job in Boise, Idaho working for the Bureau of Reclamation. Dave Adair, former Regional Engineer with the Montana DNRC Water Resources office in Billings, accepted another state position with the Department of Transportation in Billings. Their contributions to the state floodplain program were greatly appreciated. We trust their soon-to-be successors will continue in the tradition of grand contributions to the management of floodplains in Montana.

a lot of lawsuits" over all this, said Fromm, who has nothing left of his house other than a basketball hoop on a cliff and a small mound of landscaped shrubs. The video of his house tumbling into the new tributary of the Wisconsin River has become an iconic shot of the Lake Delton breach.

Like neighbors Pekar and Kubenik, Fromm is in touch with lawyers to handle issues such as whether the damage to their homes was caused by a flood or erosion, and how they can get assistance from local, state or federal resources.

Kubenik said Wednesday that he has concerns about whether the shoreline that held County Highway A and the homes was safe to build on to begin with.

"That's all sand - that ain't right," Kubenik recalled saying when he pulled up to what was left of his vacation home and saw the topography of the breached area.

Meanwhile, the village has a variety of other woes, including business

owners on the lake who say they have been denied business interruption insurance from their agencies.

Village trustee and Tommy Bartlett Show proprietor Tom Diehl - who also said he's been denied business interruption insurance - is begging tourists to keep their reservations this summer, and he said he's in the process of launching a program that will give those who book rooms on Lake Delton half-off passes to area attractions.

"Please, please don't cancel your reservations," Diehl said. "Ninety percent of the Dells is still up and running."

Watson, who has seen scenarios similar to this play out in different communities, offered a more sobering perspective on what Lake Delton and its businesses and residents are going through.

"We call it 'the disaster after the disaster,'" he said.

JSOnline Milwaukee Journal Sentinel

Montana's Floodplain Program Contact List

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HIGHGROUND
Montana Department of
Natural Resources & Conservation

February 23, 2009

IF THERE IS A COMMUNITY IN YOUR LEGISLATIVE DISTRICT THAT HAS EXPERIENCED A SIGNIFICANT FLOOD EVENT ANYTIME OVER THE LAST 100 YEARS THEN THEY ARE POTENTIALLY FACING SERIOUS FINANCIAL AND ECONOMIC DEVELOPMENT HURDLES THAT WILL RESULT FROM FEMA FLOODPLAIN REMAPPING.

current, ongoing

Major flooding, due to its infrequency, is not something we think about until it happens. When it does the results are devastating with long term disruption, significant financial impacts and potential loss of life.

FEMA is currently in the process of remapping floodplains in 17 counties (including communities) in Montana and will eventually look at the entire state. With the development of new technology they are able to produce much more accurate results. THE GOOD is that problem areas will be more accurately identified. THE BAD is that in almost every case the boundaries of 100 year floodplains will expand. In our communities this means that new construction, remodeling upgrades, business expansion will become very difficult and more costly. Affected businesses and residents will be required to purchase expensive flood insurance and affected local governments will have to undertake expensive planning and preliminary engineering to qualify for Federal assistance to help minimize or eliminate the potential impacts of a flood. There is no Federal assistance without the upfront and ongoing involvement of the community.

HB 411 will create a program through DNRC that will provide planning assistance as well as low interest loans and/or grants to our home towns and communities in our districts to help them with preliminary planning, engineering and matching funds. The intent is to put them in a place where they can afford to meet the standards necessary to access and apply Federal assistance. . I've looked and can find no other source for helping local governments address this very real and expanding problem. I UNDERSTAND THAT THERE TWO AREAS OF THE BILL THAT HAVE CAUSE SOME CONCERN AND, UNLESS THERE IS AN ABSOLUTE NECESSITY FOR THEM TO BE THERE I WILL DRAFT AMENDMENTS TO CHANGE OR REMOVE THEM THEY ARE THE LANGUAGE ON PAGE 1, LINE 23 AND PAGE 2, LINE ²⁷~~25~~ THROUGH LINE 29.

There is a General Fund

~~There is no funding in the fiscal note but it does indicate a General Fund~~ impact for FTE. I would be very receptive to stripping the FTE from the fiscal note when it gets to House Approps.. DNRC can use existing staff to develop this program...

PLEASE, LET'S GET THIS BILL OUT OF COMMITTEE, ONTO THE FLOOR FOR A GOOD REVIEW, AMENDMENTS AND ~~DOWN~~ THEN DOWN TO APPROPRIATIONS. MANY OF OUR COMMUNITIES ARE GOING TO NEED THIS PROGRAM AS NEW FLOODPLAIN MAPS ARE DEVELOPED.

Representative Bill McChesney